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Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

Responsibility of States for internationally wrongful acts

Letter dated 20 June 2011 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

In accordance with instructions received from the Government of the Republic of Azerbaijan, I have the honour to draw your attention to ongoing violations of the ceasefire by the armed forces of the Republic of Armenia, recorded for the month of May 2011 (see annex). As a result of these violations, during this period two Azerbaijani servicemen were killed and one was seriously wounded.

Over the last months the armed forces of Armenia intensified attacks on Azerbaijani civilians and civilian objects. As I informed you earlier (A/65/780-S/2011/132 and A/65/821-S/2011/251), on 8 March 2011, a nine-year-old Azerbaijani child was shot dead by an Armenian sniper. On 26 May 2011, the civilian population of the Chiragli village of the Agdam district of Azerbaijan was subjected to continuous fire by the armed forces of Armenia. On 3 June 2011, Elmar Piriyev, a resident of the Aghjabadi district of Azerbaijan, was killed by Armenian militaries in the Chemenli village of the Agdam district of Azerbaijan situated near the front line.

Besides such inhuman and unjustifiable actions, the high-ranking officials of Armenia continued their irresponsible statements and provocative visits to the occupied territories of Azerbaijan, thus openly and deliberately challenging the international mediation efforts aimed at the soonest settlement of the conflict.

Thus, in an interview on 16 May 2011 to the *Moskovskie Novosti* (Moscow News) newspaper, full of the usual historical falsifications and factual distortions,

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President of Armenia Serzh Sargsyan confirmed once again that the Armenian side considers the conflict settlement process only as a means of achieving the annexation of Azerbaijani territories (official website of the President of Armenia, available from www.president.am/events/press/eng/?id=69).

The views of the President of Armenia about the relevant international legal principles and their application and scope in the context of the settlement of the conflict unambiguously testify to the fundamental and persistent denial by this State Member of the United Nations of the generally accepted norms and principles of international law. The ideas conveyed to the public in the aforementioned interview of Serzh Sargsyan are none other than a product of stereotypical thinking and sheer nonsense in terms of not only the letter and spirit of law but also elementary logic. In addition to Armenia's confused history and the annexationist and racially motivated nature of its policy and practice towards neighbouring nations, yet another flow of revelations from the head of the Armenian State also demonstrated how intellectual and educational gaps are detrimental to the decision-making ability of this country's high-ranking officials.

It is notable that, while the President of Armenia acknowledged his active involvement in the "Garabagh movement" since 1988, the Vice-Chairman of the ruling Republican Party of Armenia, Razmik Zohrabyan, informed the public several days before the interview of Serzh Sargsyan that the so-called "Garabagh movement" had been a product of the State Security Committee (KGB) of the Union of Soviet Socialist Republics.

In his interview, the President of Armenia made it clear that his country's territorial claims are not limited to the Daghlyq Garabagh (Nagorno Karabakh) region of Azerbaijan but also include other parts of the sovereign territory of Azerbaijan, in particular its Autonomous Republic of Nakhchyvan.

The Republic of Azerbaijan rejects any suggestion that Daghlyq Garabagh and Nakhchyvan had ever belonged to Armenia in the past and that these territories had been allegedly "detached and handed over to Azerbaijan" by the Soviet authorities only in the 1920s. The Republic of Azerbaijan considers Armenia's historical accounts false and as having the sole purpose of misleading the international community and justifying groundless territorial claims and annexationist aspirations.

From ancient times up to now, both Daghlyq Garabagh and Nakhchyvan were inalienable parts of Azerbaijan. The mass resettlement of Armenians in the Azerbaijani lands after the signing on 12 October 1813 and 10 February 1828 of the Gulustan and Turkmanchay treaties, respectively, accompanied by the imposition of artificial territorial division and purposeful attempts by the Armenians to expand their territorial scope at the expense of other peoples living in the region, laid the basis for long-term instability, tensions and conflicts there. Suffice it to say that, during the Soviet period, the territory of Armenia increased from 8,000-10,000 to 29,800 square kilometres. As a result, the Nakhchyvan region of Azerbaijan was cut off from the main body of the country. There is not a single Azerbaijani remaining in present-day Armenia of the more than half million Azerbaijani people who lived there when Soviet rule was established in the region. These facts are supported by numerous documents and acknowledged in Armenian official and academic sources.

Moreover, in the 1920s, the ancestral land of Azerbaijan — Daghlyq Garabakh — was given the status of autonomy within the Soviet Socialist Republic of Azerbaijan, and its administrative borders were defined in such a way as to ensure that a small Armenian population constituted a majority in this autonomy. At the same time, a significantly larger Azerbaijani population residing in the Soviet Socialist Republic of Armenia at that time was refused the same privilege, and attempts to so much as mention this were promptly, roughly and savagely suppressed.

I would also like to refer to the letter dated 28 May 2011 from the Permanent Representative of Armenia to the United Nations, circulated as documents A/65/848-S/2011/326, in which the author is trying to blame Azerbaijan for alleged "anti-Armenian propaganda" and "circulation of disinformation". However, such resentment is obviously irrelevant against the background of the continuing illegal occupation by Armenia of the sovereign territory of Azerbaijan, its unconcealed annexationist intentions and apparent disrespect for the position of the international community.

In its unconvincing attempts to draw the international community's attention away from the main problems by claiming that Azerbaijan has allegedly ignored and even mocked the proposals and statements on the withdrawing of snipers from the line of contact, the Armenian propaganda falls into its usual forgetfulness. Otherwise, the Permanent Representative of Armenia would recollect his Government's non-compliance with the relevant resolutions of the Security Council and General Assembly, which, inter alia, demanded immediate, complete and unconditional withdrawal of all Armenian forces from all the occupied territories of Azerbaijan, as well as with numerous documents and decisions of other international organizations calling to put an end to the occupation of Azerbaijani lands.

In his letter, the Permanent Representative of Armenia confirmed once again that his country rejects the recommendations of the Co-Chairs of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group presented on the basis of their field assessment mission to the occupied territories of the Republic of Azerbaijan. It should be noted in this regard that the field assessment mission visited the occupied territories on the initiative of Azerbaijan, while Armenia, the occupying Power, is the only addressee of the call of the Co-Chairs of the OSCE Minsk Group to refrain from additional actions that would change the demographic, social or cultural character of the occupied territories of Azerbaijan (such as further settlement, the erection of monuments and the changing of place names).

It is notable that recent sniper attacks on Azerbaijani civilians, visits by the Armenian high-ranking officials to the occupied territories of Azerbaijan and their hostile statements coincided with the intensification of peace efforts. Thus, in their joint statement of 26 May 2011 made in Deauville, France, the Presidents of France, the Russian Federation, and the United States of America — the countries co-chairing the OSCE Minsk Group — inter alia, made it clear that the current status quo of the occupation of the territories of Azerbaijan is unacceptable and that the time has arrived to take a decisive step towards a peaceful settlement.

The Republic of Azerbaijan has no doubts that the international law-based settlement of the conflict provides for the complete withdrawal of Armenian armed

forces from all the occupied territories of Azerbaijan, the restoration of the sovereignty and territorial integrity of Azerbaijan, the return of the forcibly displaced population to their places of origin and the peaceful coexistence of Armenian and Azerbaijani communities in the Daghlyq Garabagh region within the Republic of Azerbaijan.

Unfortunately, attempts by the Armenian side to misinterpret the norms and principles of international law and its insistence on unrealistic annexationist claims, which Azerbaijan will never accept, speak to the real intentions of official Yerevan and represent an open challenge to the conflict settlement process and a serious threat to international and regional peace and security.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 34, 39, 66 and 75, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Permanent Representative

Annex to the letter dated 20 June 2011 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Violation of the ceasefire by the military forces of the Republic of Armenia[a] for the month of May 2011

Date	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damage*
1 May	13.10-13.15 18.25-18.30	Berkaber and Paravakar villages, Ijevan district, Armenia	Gizilhajili village, Gazakh district, Kohne Gishlag village and unknown heights, Asgtafa district, Azerbaijan	Firearm and machine gun	—
2 May	03.40-03.54	Occupied areas outside Gorgan village, Fizuli district, Azerbaijan	Adjacent area	Firearm and machine gun	—
3 May	05.20-05.55	Occupied areas outside Chileburt village, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	—
	13.00-13.40	Occupied adjacent area	Tapgaragoyunlu village, Gornaboy district, Azerbaijan	Firearm and machine gun	—
4 May	00.10-00.30 03.10-03.15 03.12-03.14	Occupied adjacent area	Mazirli and Yusfjanli villages, Agdam district, Azerbaijan	Firearm and machine gun	—
5 May	12.00-12.35	Unknown heights, Krasnoselskiy district, Armenia	Unknown heights, Gadabay district, Azerbaijan	Firearm and machine gun	—
	23.50-23.55	Paravakar village, Ijevan district, Armenia	Unknown heights, Aghstafa district, Azerbaijan	Firearm and machine gun	—
6 May	12.00-__	Occupied Talish village, Aghdara district, Azerbaijan (military exercises)	Adjacent area	Heavy armour, artillery, as well as firearm and machine gun	—

[a] Settlements of the Republic of Azerbaijan included in this information are under occupation by the Republic of Armenia or close to fire point areas.

Date	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damage*
	19.25-19.55	Occupied areas outside Gizilbaba and Chayli villages, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	—
	21.15-21.25	Occupied area outside Horadiz village, Fizuli district, Azerbaijan	Adjacent area	Firearm and machine gun	
7 May	05.15-05.30	Occupied areas outside Gizilbaba and Chayli villages, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	—
9 May	19.50-19.55	Berkaber and Paravakar villages, Ijevan region, Armenia	Gizilhajili village, Gazakh district, Azerbaijan	Firearm and machine gun	—
10 May	01.15-01.20	Occupied area outside Yusifjanli village, Agdam district, Azerbaijan	Adjacent area	Firearm and machine gun	—
	04.05-04.10	Occupied unknown heights, Jabrayil district, Azerbaijan	Adjacent area	Firearm and machine gun	—
	06.15-06.35	Occupied area outside Giziloba village, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	—
	18.10-18.45	Unknown heights, Krasnoselskiy district, Armenia	Unknown heights, Gadabay district, Azerbaijan	Firearm and machine gun	—
	23.00-23.05	Occupied areas outside Garakhanbayli and Ashagi Garakhanbayli villages, Fizuli district, Azerbaijan	Adjacent area	Firearm and machine gun	—

Date	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damage*
11 May	04.05-04.10	Occupied areas outside Garakhanbayli and Ashagi Garakhanbayli villages, Fizuli district, Azerbaijan	Adjacent areas	Firearm and machine gun	—
	10.05-10.10	Mososgerkh village, Berd district, Armenia	Agdam village, Tovuz district, Azerbaijan	Firearm and machine gun	—
	19.30-19.55	Unknown heights, Krasnoselskiy district, Armenia	Unknown heights, Gadabay district, Azerbaijan	Firearm and machine gun	—
13 May	01.50-02.15 02.20-02.26 03.40-03.45	Occupied areas outside Ashagi Veysalli and Ashagi Aburahmanli villages, Fizuli district, Azerbaijan	Adjacent areas	Firearm and machine gun	—
	02.20-02.30 04.55-05.15	Occupied areas outside Chayli and Seysulan villages, Tartar district, Azerbaijan	Adjacent areas	Firearm and machine gun	—
	23.04-23.10	Occupied unknown heights, Horadiz district, Azerbaijan	Adjacent area		
14 May	00.05-00.25	Occupied areas outside Javahirli and Sarijali villages, Agdam district, Azerbaijan	Adjacent areas	Firearm and machine gun	—
16 May	04.10-04.30	Occupied area outside Chayli village, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	—
17 May	00.10-00.30	Occupied areas outside Yusifjanli and Gargashli villages, Agdam district, Azerbaijan	Adjacent areas	Firearm and machine gun	—

Date	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damage*
	23.00-23.10	Occupied areas outside Yusifjanli and Gargashli villages, Aghdam district, Azerbaijan	Adjacent areas	Firearm and machine gun	—
18 May	02.18-02.24	Occupied unknown heights, Gorgan village, Fizuli district, Azerbaijan	Adjacent area	Firearm and machine gun	—
	05.20-05.25	Occupied area outside Namirli village, Tartar district, Azerbaijan	Adjacent area	Firearm and machinegun	—
	17.50-18.00	Berkaber, Ijevan region, Armenia	Gizilhajili village, Agstafa district, Azerbaijan	Firearm and machine gun	—
	19.00-19.20	Unknown heights, Krasnoselskiy district, Armenia	Unknown heights, Gadabay district, Azerbaijan	Firearm and machine gun	—
	20.30-20.40	Occupied unknown heights, Fizuli district, Azerbaijan	Adjacent area	Firearm and machine gun	—
19 May	00.50-01.05	Occupied area outside Yarimja village, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	—
	09.05-09.10	Voskevan village, Noyanberyan district, Armenia	Adjacent area	Firearm and machine gun	—
	21.20-21.45	Occupied unknown heights, Horadiz district, Azerbaijan	Adjacent area	Firearm and machine gun	—
20 May	15.45-16.10	Unknown heights, Krasnoselskiy district, Armenia	Unknown heights, Gadabay district, Azerbaijan	Firearm and machine gun	—
	20.00-20.25	Occupied area outside Shikhlar village, Agdam district, Azerbaijan	Adjacent area	Firearm and machine gun	A sergeant of the Azerbaijani Army, Rahman Mamedov, was shot to death

Date	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damage*
	22.35-23.10	Occupied area outside Yarimja village, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	A soldier of the Azerbaijani Army, Farid Farajov, was shot to death
22 May	12.55-13.00 22.50-22.55	Occupied areas outside Ashagi Aburahmanli and Ashagi Seyidahmadli villages, Fizuli district, Azerbaijan	Adjacent areas	Firearm and machine gun	—
	21.00-21.35	Adjacent area	Unknown height, Goygol district, Azerbaijan	Firearm and machine gun	—
23 May	00.10-00.20	Occupied areas outside Yusifjanli and Javahirli villages, Agdam district, Azerbaijan	Adjacent areas	Firearm and machine gun	—
	01.15-01.25	Occupied areas outside Giziloba village, Tartar village, Azerbaijan	Adjacent area	Firearm and machine gun	—
	13.20-13.40	Unknown heights, Krasnoselskiy district, Armenia	Unknown heights, Gadabay district, Azerbaijan	Firearm and machine gun	—
	18.40-18.50	Occupied unknown heights, Fizuli district, Azerbaijan	Adjacent area	Firearm and machine gun	—
	19.45-19.50 21.50-22.20	Occupied area outside Chayli village, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	—
24 May	17.20-17.38	Baremekavan village, Noyanberyan district, Armenia	Gaymagli village, Gazakh district, Azerbaijan		
	23.40-23.50 23.50-00.00	Occupied areas outside Javahirli and Yusifjanli villages, Aghdam district, Azerbaijan	Adjacent areas	Firearm and machine gun	—

Date	*Time*	*Fire point area*	*Direction*	*Weapons used*	*Casualties and damage*
25 May	00.25-00.30	Occupied area outside Gorgan village, Fizuli district, Azerbaijan	Adjacent area	Firearm and machine gun	—
	00.30-01.20	Occupied area outside Namirli village, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	—
	10.10-10.25	Occupied area outside Meshdili village, Jabrayil district, Azerbaijan	Adjacent area	Firearm and machine gun	—
	15.10-15.15 22.20-22.40 22.40-23.00 22.40-22.45	Occupied areas outside Gorgan and Ashagi Abdurahmanli villages, Fizuli district, Azerbaijan	Adjacent areas	Firearm and machine gun	—
26 May	18.00-18.30	Occupied area outside Bash Garvand village, Agdam district, Azerbaijan	Chiragli village, Agdam region, Azerbaijan	Firearm and machine gun	Civilian settlements were subjected to fire
	19.30-19.35	Occupied area outside Yusifjanli village, Agdam district, Azerbaijan	Adjacent area	Firearm and machine gun	—
27 May	00.25-00.44	Occupied area outside Chayli village, Tartar district, Azerbaijan	Adjacent area	Firearm and machine gun	A soldier of the Azerbaijani Army, Anvar Iskandarov, was seriously wounded
31 May	01.15-01.30 01.20-01.23	Occupied area outside Ashagi Abdurahmanli village, Fizuli district, Azerbaijan	Adjacent area	Firearm and machine gun	—